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SIPDIS

DEPT FOR T, VCI AND EUR/PRA
DOE FOR NNSA/NA-24
CIA FOR WINPAC
JCS FOR J5/DDGSA
SECDEF FOR OSD(P)/STRATCAP
NAVY FOR CNO-N5JA AND DIRSSP
AIRFORCE FOR HQ USAF/ASX AND ASXP
DTRA FOR OP-OS OP-OSA AND DIRECTOR
NSC FOR LOOK
DIA FOR LEA

E.O. 12958: DECL: 12/19/2019
TAGS: [KACT](#) [MARR](#) [PARM](#) [PREL](#) [RS](#) [US](#) [START](#)
SUBJECT: START FOLLOW-ON NEGOTIATIONS, GENEVA
(SFO-GVA-VII): (U) MEETING OF THE TREATY TEXT AND
DEFINITIONS WORKING GROUP, DECEMBER 7, 2009

REF: A. GENEVA 1175 (SFO-GVA-VII-071)
[1](#)B. GENEVA 1187 (SFO-GVA-VII-076)

Classified By: A/S Rose E. Gottemoeller, United States
START Negotiator. Reasons: 1.4(b) and (d).

[1](#)1. (U) This is SFO-GVA-VII-103

[1](#)2. (U) Meeting Date: December 7, 2009
Time: 4:00 P.M. - 6:00 P.M.
Place: U.S. Mission, Geneva

SUMMARY

[1](#)3. (S) A meeting of the Treaty Text and Definitions Working Group was held at the U.S. Mission on December 7. A discussion of the heavy bomber counting rule dominated the meeting and a subgroup was formed to further discuss. End Summary.

[1](#)4. (S) SUBJECT SUMMARY: The U.S. Concept of Heavy Bomber Counting; Finding the "Golden Middle;" Article III Heavy Bomber Counting Rule; Why Three?

THE U.S. CONCEPT OF HEAVY BOMBER COUNTING

[1](#)5. (S) Amb Ries suggested discussing the counting of heavy bombers because it played into the "larger picture." Mr.

Taylor proceeded to make an oral presentation of the U.S. concept behind its approach to the counting of heavy bombers.

16. (S) Taylor presented the following points:

-- We define deployed heavy bombers to be all heavy bombers equipped for nuclear armaments, except for test heavy bombers. From this flows how we treat all heavy bombers in the treaty. We agreed that each deployed heavy bomber counted as one. Test heavy bombers may be based only at heavy bomber flight test centers and at production facilities for heavy bombers. We have a separate limit of ten for test heavy bombers, since they may be equipped for nuclear armaments.

-- The U.S. categories of heavy bombers are: deployed heavy bombers, test heavy bombers and heavy bombers equipped for non-nuclear armaments. (Begin comment: Neither side now has training heavy bombers. We already agreed that deployed heavy bombers would only be based at air bases. End comment.)

-- At the beginning of the treaty "heavy bombers" are defined by the list of existing types. The U.S. definition for an existing type is: "The term "existing type" means for ICBMs, SLBMs, or heavy bombers, a type of ICBM, SLBM, or heavy bomber, for which at least one ICBM, SLBM, or heavy bomber of that type was deployed on the date of signature of this Treaty." For the United States the current text lists the B-52H, the B-1B and B-2A, as the current existing types.

-- All heavy bombers of existing types present at entry into force will be listed in the Memorandum of Understanding (Part II of the Protocol) by basing locations and for each of the three categories above. A reminder of the categories: deployed heavy bombers, test heavy bombers, and heavy bombers equipped for non-nuclear armaments.

-- Once all B-1Bs are converted so that none of them are equipped for nuclear armaments they will all be taken outside the Treaty by virtue of an agreed statement that will be negotiated separately. The converted B-1Bs will also not be based at an air base since air bases are facilities where deployed heavy bombers are based. It does not make the B-1B a non-deployed heavy bomber since they will not be based at an air base.

-- All deployed heavy bombers remain as "deployed" regardless of location. The only way for a deployed heavy bomber to cease to be a deployed heavy bomber was one of three ways: 1) it is declared to be a test heavy bomber (and counts towards the limit of 10 such heavy bombers), 2) it is converted to be a heavy bomber equipped for non-nuclear armaments, or 3) it is eliminated.

-- Any newly produced heavy bomber equipped for nuclear armaments becomes subject to the treaty either as a deployed heavy bomber or as a test heavy bomber when it leaves the production facility.

-- Any newly produced heavy bomber equipped for non-nuclear armaments is not subject to the treaty.

17. (S) ADM Kuznetsov asked whether other members of the Russian delegation had heard about this concept and whether there would be a definition for the term "non-deployed heavy bomber." He noted that based on the U.S. concept, the United States would not define "non-deployed heavy bomber." Taylor responded that Kuznetsov was correct.

18. (S) Koshelev pointed to notes written on a white board in the room (Begin comment: The white board still showed notes and charts made during a meeting of the Ad Hoc Working Group which met in the same room immediately prior to this meeting. End comment.) and said it indicated that "non-deployed heavy bombers should be included in the (central) limits." Amb Ries retorted that the discussion that had taken place in the

Ad Hoc meeting was theoretical, based on a Russian proposal and was not the U.S. position. Koshelev added that the Russian view was that there should be a category of non-deployed heavy bombers and that the Russian Federation has many SSBNs which would be counted even while they waited for elimination. Ries asked for the Russian position on the definition of a deployed heavy bomber.

¶9. (S) Kuznetsov responded that the Russian definition was very simple and logical in that every heavy bomber based at air bases and equipped for nuclear armaments were deployed heavy bombers. Kuznetsov went on to say that all other heavy bombers were non-deployed including heavy bombers equipped with non-nuclear armaments. He said that all heavy bombers at flight test, training, production and storage facilities were considered non-deployed. Kuznetsov added that if inspectors saw heavy bombers and nothing was loaded on them,

the Russian proposal would call for using the attribution rule of one. If the heavy bomber carried several ALCMs, every missile would count. Kuznetsov reiterated that this was the proposal the Russian side made in Article III, paragraph 2(b). He stated there was a "gap" in the U.S. position "because there was no notion of non-deployed heavy bombers." "You have deliberately excluded this notion," he said. Koshelev added that this absence deprived the Parties of an incentive to reduce the numbers of heavy bombers.

¶10. (S) Kuznetsov said an attribution rule was proposed much as it existed under START because the sides' deployment concepts were different. The United States stored its heavy bomber nuclear armaments near its heavy bombers, whereas Russia stored its nuclear armaments farther away from the heavy bombers. Kuznetsov further added that there were also conventional cruise missiles stored with the nuclear armaments, making the counting problematic.

¶11. (S) Ries responded that the United States remained uncomfortable with attribution as a counting rule. The intent for the United States was to actually account for nuclear armaments for heavy bombers the same way as for ICBMs and SLBMs. She said that the United States chose the word "armaments" because it was a more realistic approach. Ries relayed that the United States understood the different methods of the sides for storing heavy bomber nuclear armaments.

FINDING THE "GOLDEN MIDDLE"

¶12. (S) Kuznetsov said the delegations needed to find the "golden middle." He explained again that Russia did not have nuclear armaments at air bases. Kuznetsov added that there were conventional cruise missiles at Russian air bases, therefore the Russian proposal was for attribution. Further, he could not imagine a way out of this situation.

¶13. (S) Taylor returned to the issue of deployed versus non-deployed and stated that deployed and non-deployed ICBMs and SLBMs was a clear concept and had clear definitions. When a missile was removed from the launcher, it became non-deployed. This accepted the Russian position because the U.S. side would drop the concept of "considered to contain;" doing so was linked to Russian acceptance of the U.S.-proposed limit on non-deployed ICBM and SLBM launchers. Taylor said it was difficult to have a heavy bomber and consider it to be non-deployed because it was still equipped for nuclear armaments. Taylor added that the U.S. concern was that the heavy bomber was always equipped for nuclear armaments unless it was converted or eliminated. Taylor asserted that the Russian proposal was based on the location of the heavy bomber, as opposed to the U.S. proposal which was based on whether the heavy bomber was equipped for nuclear armaments. Taylor reiterated that, under the U.S. approach, there were three categories of heavy bombers: deployed heavy bombers, test heavy bombers, and heavy bombers

equipped for non-nuclear armaments. Taylor maintained this was indeed the "golden middle" for how to deal with deployed heavy bombers.

ARTICLE III HEAVY BOMBER COUNTING RULE

¶14. (S) Taylor proposed the U.S. text for Article III, paragraph 2(b) which stated: "For each deployed heavy bomber, the number of nuclear armaments shall be three." Taylor added that this adopted the Russian approach to attribution although it was a strict attribution rule. Taylor highlighted that each deployed heavy bomber counted as three under the aggregate limit in Article II, paragraph 1(b).

WHY THREE?

¶15. (S) Kuznetsov asked for an explanation as to why the number three was chosen. Taylor said the Russian side had proposed an attribution rule and suggested that it be one, two or three, and the U.S. had selected three. Koshelev added that it was not the responsibility of the Treaty Text and Definitions Working Group to decide the attribution rule number because it related to military and technical aspects and should be discussed in a different group. Ries said that this issue needed to be discussed in this setting because brackets remained in Articles II and III.

¶16. (S) Kuznetsov asked why we were discussing Article II when, despite a few remaining brackets, it was previously agreed. Koshelev added that today's discussion had showed "serious diversion." Ries added that the U.S. proposed several ways to solve the problem, including through a side agreement, and the U.S. awaited Russia's response to the proposal.

¶17. (S) Kuznetsov said that a lot of time had been spent on this issue and on the text of the Article II chapeau and use of the term nuclear armaments. He further argued that by including the word "nuclear" in Article II, paragraph 1(b), it was like saying "wet water" because the word nuclear already appeared in the chapeau. He added that Article II had come back from the Conforming Group because of the remaining brackets and the problems they represented. In addition, the heads of delegation planned to discuss Article II, paragraph 2.

¶18. (S) Taylor reminded Kuznetsov that the sides had agreed to take "nuclear" out of Article II, paragraph 1(b), and both sides said they would confirm this change with their delegation members (Ref A). Taylor said that both sides returned to the working group meeting the next day and agreed to put "nuclear" back in paragraph 1(b), otherwise all conventional armaments for heavy bombers would also be counted (Ref B). The U.S. side then agreed to drop the phrase "or associated with," and accepted the attribution approach so that when the text said each heavy bomber would count as three, it would be "very clean."

¶19. (S) Kuznetsov said it was clear that everything was unclear. The working group decided that a subgroup would discuss the issue further the following day.

¶20. (S) Documents provided: None.

¶21. (U) Participants:

UNITED STATES

Amb Ries
Mr. Taylor
Lt Col Comeau

Mr. Connell
Dr. Dreicer
Ms. Kirchgasser
Mrs. Zdravecky
Mr. French (Int)

RUSSIA

Mr. Koshelev
ADM Kuznetsov
Ms. Fuzhenkova
Col Kamenskiy
Ms. Melikbekian
Ms. Evarovskaya (Int)

122. (U) Gottemoeller sends.
GRIFFITHS